IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

Bail Appl..No. 6159 of 2007()

CMP.3464/2007 of J.M.F.C.-I, CHENGANNUR
CRIME NO.478/2007 OF CHENGANNOOR POLICE STATION.
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PEITITIONER/ACCUSED

KISHORE,S/O. BABU PAKALOOR K R
SADANAM VEEDU, KOTTARAVILAKOM,
KALLIYOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U.NAZER

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 10/10/2007, ALONG WITH BA. NO.6160/2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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R.BASANT, J

B.A.Nos.6159, 6160 & 6164 of 2007

Dated this the 10th day of October, 2007

ORDER

Applications for regular bail. The petitioner was a student of Chengannur Engineering College. He is alleged to have committed theft of Mobile phones, Laptop and Computer parts belonging to his hostel mates as also the college on 3 different occasions. 3 separate crimes have been registered. The crimes were registered in 2002 and 2007. Investigation was in progress. The petitioner was arrested. Stolen articles have already been recovered. Final report has been filed in one of the 3 cases. In the other 2, investigation is in progress.

2. The learned counsel for the petitioner submits that the petitioner is innocent. Even accepting all the allegations, the conclusion appears to be inevitable that it was not a case of theft for gain and that some mental derangement appears to be evident from the nature of the allegations raised. The learned counsel for the petitioner brings to the notice of the Court that none of the stolen articles are alleged to be disposed of for gain by the petitioner. The petitioner remains in custody from 18.09.07. Further detention is unnecessary. The petitioner may be enlarged on bail subject to appropriate conditions. He has already completed his education. He is now employed at Trivandrum, it is submitted.

3. Notice was given to the learned Public Prosecutor . The learned Public Prosecutor submits that considering the peculiar facts and circumstances of the case the State is not opposing the application for regular bail. Appropriate conditions may be imposed, submits the learned Public Prosecutor.

4. Having considered all the relevant inputs, I am persuaded to agree that the petitioner can be granted bail subject to appropriate terms and conditions.

5. In the result, these applications are allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall, in all the 3 cases, execute bonds for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall report before the Investigating Officer between 5 p.m and 6 p.m on all Sundays of all English Calendar months until the case against him is finally disposed of.

(R.BASANT, JUDGE)

rtr/-